

REMARKS

Claims 1-21 are pending in the instant application. Claims 22-24 were previously cancelled.

Claims 1, 20 and 21 have been amended to more clearly point out and distinctly claim what the applicants regard as their invention and to present the claims in better form for consideration on appeal. In particular, the ability to pass the entirety of the catheter through the needle bore is claimed with additional clarity. No new matter is claimed by this amendment. Passage of the catheter through the needle bore is disclosed, at a minimum, at ¶¶ [0033], [0034], [0039] and [0045] of the application as published.

Applicants respectfully request reconsideration and withdrawal of the pending rejections.

Interview Summary

Applicants' undersigned attorney thanks the Examiner for the telephonic interview of December 11 and 12, 2007, where the preceding claim amendments and the various rejections set forth in the June 22, 2007 Office Action were discussed. During this interview, the Examiner stated that the 35 U.S.C. §102(b) rejection based on Orr is withdrawn.

35 U.S.C. 102 Rejection

Claims 1-7, 9-15, 17 and 18 were rejected under 35 U.S.C. 102(b), as anticipated by Raulerson et al. (U.S. Patent No. 6,551,281).

Claims 1-7, 9-15, 17 and 18 were rejected under 35 U.S.C. 102(b), as anticipated by Orr et al. (U.S. Patent No. 5,263,938).

Raulerson and Orr are drawn to very similar subject matter. As argued in the September 12, 2007 response to the office action of June 13, 2007, the applicants continue to believe that neither Raulerson nor Orr discloses any structure for a catheter. The examiner continues to maintain that the “guide wire advancer 10” of Raulerson is encompassed under the broadest reading of the term “catheter” and that the “end surface 51” is a “stiffening section” of this “catheter” 10.

As stated above, during the interview of December 11 and 12, 2007, the Examiner withdrew the 35 U.S.C. §102(b) rejection based on Orr.

Applicants continue to maintain, as more fully detailed in their September 12, 2007 Response, that Raulerson does not disclose a catheter, a stiffening portion of the catheter or the catheter sized to be received in a needle bore, as required by each and every one of the pending claims. Additionally, Applicants maintain that the “catheter 10” of Raulerson is not “sized to be disposed within said needle” as required by the claims as pending prior to this Response. In order to more specifically and clearly point out the subject matter to which applicants believe they are entitled, each and every claim has been amended to require that the entire “catheter” is sized “such that the proximal end, distal end and body section of the catheter may be passed completely through the needle”. Accordingly, reconsideration and withdrawal of the Raulerson anticipation rejection is respectfully requested.

35 U.S.C. 103 Rejections

Claims 8, 16 and 19-21 have been rejected as unpatentable over Raulerson or Orr.

Neither Raulerson nor Orr disclose, as detailed above, a catheter, a stiffening portion of the catheter or the catheter sized to be passed completely through the needle bore, as required by each and every one of claims 8, 16 and 19-21. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

In view of the preceding amendments and remarks, applicants respectfully request that the Examiner reconsider and withdraw the rejections set forth in the November 27, 2007 Office Action, and earnestly solicit allowance of the claims current pending, namely Claims 1-21.

This Amendment is in response to an Office Action dated November 27, 2007. Thus, it is believed that this Amendment is being timely filed. In addition, it is believed that no fee is necessary in connection with the filing of this Amendment. If any fee is required to maintain the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted
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